

SUPERIOR COURT
OF THE
STATE OF DELAWARE

T. HENLEY GRAVES
RESIDENT JUDGE

SUSSEX COUNTY COURTHOUSE
ONE THE CIRCLE, SUITE 2
GEORGETOWN, DE 19947

July 25, 2006

Bobby Foreman
14754 Adams Road
Greenwood, DE 19950

RE: Defendant ID No. 93204680DI (R-2)
Motion for Postconviction Relief

Dear Mr. Foreman:

On May 3, 2006, you filed a Motion for Postconviction Relief pursuant to Superior Court Criminal Rule 61. You have served your time and been discharged from your sentence.

Since you are no longer in custody nor are you subject to future custody, relief pursuant to Superior Court Criminal Rule 61 is not available. *Epperson v. State*, 829 A.2d 935 (Del. 2003); *Summers v. State*, 818 A.2d 971 (Del. 2003); *Fullman v. State*, 746 A.2d 276 (Del. 2000); *Guinn v. State*, Del. Supr., No. 549, 1992, Walsh, J. (April 21, 1993); *Petsinger v. State*, Del. Super., Def. ID#9605020352, Graves, J. (June 28, 2002); *State v. Beles*, Del. Super., Cr. A. No. 96-06-0468, Graves, J. (March 13, 1997).

Your Motion for Postconviction Relief is denied.

IT IS SO ORDERED.

Yours very truly,

T. Henley Graves

THG:baj
cc: Prothonotary
Department of Justice